IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN

&

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

WA.No. 522 of 2000()

AGAINST THE JUDGEMENT IN OP.2220/1998 Dated 01/11/1999

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APPELLANTS:

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1. Kerala State Electricity Board, represented by its Secretary, Vydyuthi Bhavan, Thiruvananthapuram.

2. Deputy Chief Engineer (Civil) Lower Periyar Circle, Kerala State Electricity Board, Vazhathope, Idukki District.

3. Assistant Executive Engineer, T.A.II, Camp Section, Kerala State Electricity Board, Vazhathope, Idukki District.

BY ADV. SRI.S.RAMESH BABU, SC. KSEB

SRI.C.K.KARUNAKARAN, SC FOR KSEB

RESPONDENTS:

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1. P.D. Augusty, S/o. Devassia, aged 46 years, Pathipurayidathil, Narakkanam P.O., Idukki District.

2. M.K.Sajiman, S/o. M.C.Kuttan, Mukudikattil, Kaduthuruthi P.O., Kottayam District.

3. P.V.James, S/o. P.K.Varghese, Padinjarepurakkal, Chelachuvadu PO Idukki District.

4. T.J.George, S/o. John, Thadathil House, Idukki Colony P.O., Vazhathope, Idukki District.

5. State of Kerala, represented by Commissioner & Secretary to Government of Kerala, Department of Labour, Government Secretariat, Thiruvananthapuram.

6. Kerala State Contract Labour Advisory Board represented by its Chief Executive Officer, Regional Joint Labour Commissioner, M.G. Road, Thiruvananthapuram.

BY GOVERNMENT PLEADER SRI. SANDESH RAJA FOR R5
SRI.P.M.MOHAMMED SHIRAZ

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.Radhakrishnan
&
Antony Dominic, JJ.
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W.A.No.522 of 2000
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Dated this the 27th day of June, 2007.

JUDGMENT

Radhakrishnan,J.

This Writ Appeal is preferred by the Kerala State Electricity Board aggrieved by the judgment of the learned single Judge holding that the petitioners services shall not be terminated till regular hands join duty. Counsel for the appellants referred to a judgment in W.A.No.1022 of 1998 and submitted that in view of the Division Bench decision, the direction given by the learned single Judge in this case cannot be sustained. We make it clear that the judgment of the Division Bench judgment will govern the parties in this case.

With this observation, Writ Appeal is disposed of.

K.S.Radhakrishnan,
Judge.

Antony Dominic,
Judge.

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